In re application of:

Group Art Unit: 2877

Donald J. Svetkoff, Donald B.T. Kilgus, Warren Lin, and Jonathan S. Ehrmann

Examiner: Hoa Q. Pham

Serial No.:

10/808,094

Filed: March 24, 2004

For: METHOD AND SYSTEM FOR HIGH SPEED MEASURING OF

MICROSCOPIC TARGETS

Attorney Docket No.: GSIL 0186 PUS 2

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

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The undersigned is an Attorney of Record in the above-captioned application.

GSI Lumonics Corporation (Assignee) is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned U.S. Patent

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Commissional for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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U.S.S.N. 10/808,094

Application Serial No. 10/808,094 by virtue of assignment, recorded on June 23, 2003 at Reel 013751, Frame 0518.

Assignee hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Patent Application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Patent Application Serial No. 10/244,891, and Assignee hereby agrees that any patent so granted on the above-captioned U.S. Patent Application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from U.S. Patent Application Serial No. 10/244,891. This agreement to run with any patent granted on the above-captioned U.S. Patent Application and to be binding upon the Assignee, its successors and assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-captioned U.S. Patent Application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Patent Application Serial No. 10/244,891 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Enclosed is a check in the amount of \$110.00 which represents the filing fee under 37 C.F.R. § 1.20(d) for this Terminal Disclaimer. The Commissioner is authorized to charge any additional fees, as well as credit any overpayments, to Deposit Account No. 02-3978. A duplicate of this paper is enclosed for that purpose.

Respectfully submitted,

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